

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SENTIUS INTERNATIONAL LLC,

Plaintiff,

v.

BLACKBERRY LIMITED,
BLACKBERRY CORPORATION,

Defendants.

§
§
§
§
§
§
§
§
§
§

Case No. 2:16-CV-00773-JRG-RSP

ORDER


Sentius International LLC (“Sentius”) objects to Magistrate Judge Payne’s recommendation that the BlackBerry defendants’ motion for summary judgment that claim 95 of U.S. Patent No. RE40,731 is invalid be granted because the patentee improperly broadened the original claim, in violation of 35 U.S.C. § 251. Having reviewed Sentius’s objections, and having considered Judge Payne’s Report and Recommendation de novo, the Court finds no reason to reject or modify the recommended disposition. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly, it is **ORDERED**:

- (1) Plaintiffs’ objections, Dkt. 78, are **OVERRULED**.
- (2) Magistrate Judge Payne’s Report and Recommendation, Dkt. 76, is **ADOPTED**.
- (3) Defendants’ motion for summary judgment, Dkt. 41, is **GRANTED**.
- (4) Claim 95 of U.S. Patent No. RE40,731 is **INVALID**.

So Ordered this

Sep 1, 2017



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE